

Michael R. Johnson, Esq. (A7070)
David H. Leigh, Esq. (A9433)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, 14th Floor
Salt Lake City, Utah 84111
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: mjohnson@rqn.com
Email: dleigh@rqn.com

Counsel for Gil A. Miller, Chapter 11 Trustee of the Consolidated Estate

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

<p>In re:</p> <p>DEE ALLEN RANDALL, et al.,</p> <p>Debtors.</p>	<p>Bankruptcy Case No. 10-37546</p> <p>(Substantively Consolidated with Case Nos. 11-34826, 11-34830, 11-34831, 11-34833 and 11-34834)</p> <p>Chapter 11</p> <p>Honorable Joel T. Marker</p>
<p>GIL A. MILLER, Chapter 11 Trustee of the substantively consolidated estate of Dee Allen Randall, et al.</p> <p>Plaintiff,</p> <p>v.</p> <p>BURKE ANGLIN, an individual</p> <p>Defendant.</p>	<p>Adversary No. 12-02422</p> <p>(Filed via ECF)</p>

NOTICE OF DISMISSAL WITH PREJUDICE, AND NOTICE OF ERRONEOUS ENTRY OF DEFAULT JUDGMENT

TO THE CLERK OF THE COURT AND TO DAVID BURKE ANGLIN:

Pursuant to Federal Rule of Civil Procedure 41(a), made applicable in the above-entitled adversary proceeding by Federal Rule of Bankruptcy Procedure 7041, Plaintiff, Gil A. Miller, Chapter 11 Trustee, through counsel, hereby dismisses the above-entitled action, and all claims asserted herein, with prejudice, for the reason that Defendant filed a voluntary petition for relief in the United States Bankruptcy Court for the District of Utah on August 30, 2012, in Chapter 7 No. 12-31166, and the above-entitled action was filed without knowledge of Defendant's bankruptcy case.

Plaintiff further advises that the Default Judgment that was entered in this case on December 16, 2013 is null and void and of no force or effect.

DATED this 14th day of February, 2014.

RAY QUINNEY & NEBEKER P.C.

/s/ Michael R. Johnson
Michael R. Johnson
David H. Leigh
Counsel for the Trustee

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2014, I mailed a true and correct copy of the foregoing **NOTICE OF DISMISSAL WITH PREJUDICE, AND NOTICE OF ERRONEOUS ENTRY OF DEFAULT JUDGMENT** by first class U.S. mail, postage prepaid, addressed to the following:

David Burke Anglin
PO Box 510
Glenwood, IA 51534

Eric C. Singleton
THE ALTA LAW GROUP, PLLC
307 West 200 South, Suite 2002
Salt Lake City, UT 84101

/s/ Dianne Burton

1271320